

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

STEVE SHELTON, et al.,

Plaintiffs,

v.

RUTHERFORD COUNTY, TENNESSEE and
JAMES C. COPE individually and in his
official capacity as Rutherford County Attorney,

Defendants.

and

RUTHERFORD PROPERTY OWNERS, LLC and
BPU HOLDINGS, LLC,

Plaintiffs,

v.

RUTHERFORD COUNTY, TENNESSEE and
JAMES C. COPE individually and in his
official capacity as Rutherford County Attorney,

Defendants.

Civil Action No. 3:09-cv-0318

CONSOLIDATED WITH:

Case No. 3:09-cv-0413

Judge Thomas A. Wiseman, Jr.

ORDER

Before the Court are motions for partial summary judgment brought by the Plaintiffs in the lead action, 3:09-cv-318 (Doc. No. 64), Plaintiffs in the related action, 3:09-cv-413 (Doc. No. 71), and by Defendants (Doc. No. 73). All three seek judgment as to the “preclusive effect” of the ruling of the Tennessee Court of Appeals in the parallel state court proceedings, *Shelton v. Rutherford County, Tenn.*, No. M2008-02596-COA-R3-CV, 2009 WL 3425638 (Tenn. Ct. App. Oct. 23, 2009).

For the reasons set forth in the accompanying Memorandum Opinion, the Court finds that all three motions are utterly devoid of merit. The motions are hereby **DENIED**.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge